



**BOULT • CUMMINGS**  
**CONNERS • BERRY PLC**

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September 28, 2004

T.R.A. DOCKET ROOM

Joelle Phillips  
BellSouth Telecommunications, Inc  
333 Commerce Street  
Suite 2101  
Nashville, Tennessee 37201-3300

Re: Workshop to Gather Information on the Tennessee Regulatory Assurance  
Plan, service quality measurements and self-effectuating enforcement  
Mechanisms  
Docket 97-00309

Dear Joelle:

As previously discussed, competitive local exchange carriers ("CLECs") are experiencing with BellSouth significant operational issues which have a negative impact on our customers. This letter summarizes these common concerns, which have already been communicated to BellSouth by these companies individually. Future correspondence will address customer-impacting operational issues which are somewhat unique to a specific CLEC.

Our customers cannot receive reliable local service until these provisioning and maintenance and repair operational issues are addressed by BellSouth. We trust that this correspondence will assist in working toward a mutually satisfactory solution.

Set forth below is a discussion of six areas where CLEC customers are negatively impacted. These areas include:

- 1) Troubles Within 30 Days Of Provisioning
- 2) Repeat Troubles Within 30 Days
- 3) Customer Trouble Report Rate
- 4) Missed Repair Appointments
- 5) Inability To Test Line Shared Loops
- 6) Premature Trouble Closure

Although these issues are collectively experienced, they are organized by CLEC, because their specifics vary somewhat by company.

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### **Birch Telecom**

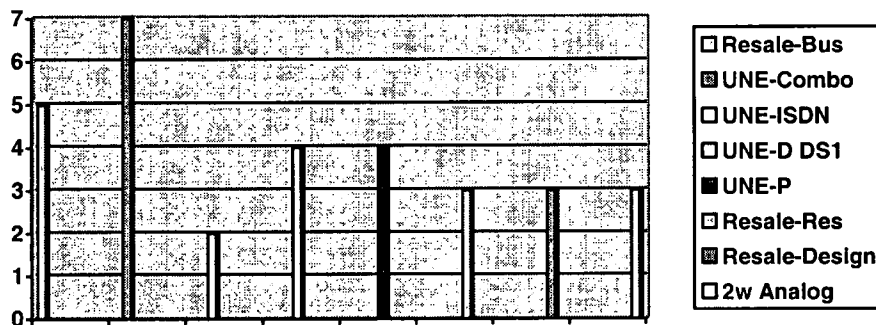
Birch uses UNE-P to serve its target market of small business customers. Birch has experienced non-compliant performance for the Troubles within 30 Days of Provisioning metric for most of last year for non-dispatch order types for UNE-P (both dispatch in and switched based orders). Birch would like for BellSouth to investigate why this non-complaint performance continues. Specifically, is the root cause of the problem the design of the UNE-P ordering process or is there another reason for these installation troubles.

Birch has also experienced non-complaint performance for the Missed Repair Appointments metric for Dispatch and Non-Dispatch trouble tickets. Birch would like for BellSouth to investigate this issue as well. Specifically, why are these appointments are being missed and how does BellSouth set repair appointments for UNE-P lines (for example, are residential and business classifications used to set priority for repairs within BellSouth's internal support systems).

### **ITC^DeltaCom/BTI**

During the months of January, 2004 through July, 2004, consecutively, BellSouth has missed the metric, namely Customer Trouble Report Rate or M&R-2.

The following chart, illustrating the number of months failed, indicates the areas of concern:



BellSouth's repeated failures jeopardize CLECs, who appear unable to deliver a stable and reliable level of service to their end user customers. CLECs face the daily challenge of establishing their ability to deliver stable service in a competitive market place.

### **Covad**

Covad does not have equal access to Line Shared loops when a trouble ticket is opened by BellSouth. BellSouth does not allow Covad to run an MLT test on Line Shared loops when a

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trouble ticket is open. BellSouth is not restricted in the same manner and is able to run the MLT test regardless of whether a trouble ticket is currently open by Covad. This lack of parity impedes Covad's ability to determine whether troubles have been repaired on its Line Shared loops. There have been numerous instances where BellSouth erroneously reports that the trouble has been repaired and the trouble ticket was closed, however, Covad's customer still does not have service. Because Covad is prohibited from running MLT tests on a loop with an open trouble ticket, Covad must open a subsequent trouble ticket. This limitation ultimately results in extending the downtime of Covad's customer.

BellSouth is closing trouble tickets without Covad's agreement, resulting in extending the customer trouble experience. Covad's Interconnection Agreement contains provisions that require BellSouth to cooperatively close a trouble ticket with Covad's repair technicians. Conveyed below are two instances, demonstrating lack of cooperation, that significantly impact Covad's ability to service and maintain its stand-alone loop customer base:

- When a BellSouth technician is at the customer's premise to repair a trouble but is unable to contact the customer, BellSouth will send a message through BellSouth's CPSS system. If BellSouth receives no response in 15 minutes, the technician closes the trouble ticket in CPSS without attempting to call Covad for concurrence or so that Covad could attempt to locate the customer within the 15 minute time-frame.
- The second situation occurs when Covad opens a trouble ticket through CPSS. When Covad receives a trouble report from its customer, Covad runs extensive tests to determine whether the trouble is on Covad's or BellSouth's side. If such test determines that the problem is on BellSouth's side, Covad opens a trouble ticket in BellSouth's CPSS system and informs BellSouth of the nature of the trouble and whether a dispatch in/out should be made. However, when BellSouth receives the ticket, they also run their own tests. If for some reason their tests indicate no trouble or they believe the problem is Covad's, they place that ticket in a delayed maintenance status in CPSS for a 24 hour interval. This requires a Covad repair technician to manually go into the system and pick up the message, then attempt to contact BellSouth's technician. If for some reason, no activity occurs on that ticket within the 24 hour interval, CPSS automatically closes the trouble ticket without Covad's concurrence. Among other things, this practice contributes to a significant and unnecessary increase in the number of trouble tickets that are closed to No Trouble Found ("NTF")

This practice of closing trouble tickets without both parties' agreement is costly for a number of reasons. It requires additional time and expense not only from Covad but also from BellSouth. In an already resource-constrained environment, Covad technicians must open multiple trouble tickets on a single circuit to resolve a trouble. This practice also proves costly from a financial

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standpoint, since each time BellSouth closes a trouble to NTF, Covad is billed a fee. But more importantly, this practice really serves to delay resolution of Covad's customers' troubles. As a result, Covad customers grow increasingly frustrated because they are out of service for extended periods of time. Many of these unhappy customers end up leaving Covad, thus increasing churn and adversely affecting the company's reputation as a quality local service provider.

### AT&T

AT&T's ABS unit, which serves small to medium businesses, is experiencing puzzling maintenance requirements on UNE-P lines ordered from BellSouth within the first 30 days of migration of BellSouth retail to AT&T UNE-P. What is baffling is that these troubles were experienced on migrations that should not require any facility changes or work. AT&T has been working for some time to resolve this issue, which was noticed before entering the Tennessee market. It has been escalated to the executive level in an attempt to secure resolution. Although BellSouth is not incurring consequences for these unexplainable troubles, it affects AT&T's customers, who continue to experience trouble soon after migrating from BellSouth to AT&T.

AT&T is also experiencing a repeat trouble ticket rate of six percent on UNE-P. This type of customer experience can reflect poorly on AT&T as a quality provider of local service. This measurement is based on only the measured trouble tickets and does not include Repeat tickets or "TOK/NTF" tickets where a BellSouth Network trouble was subsequently found.

In conclusion, we trust that this outline of these specific problems collectively experienced by CLECs is useful. We encourage the TRA staff to continue to monitor these proceedings and look forward to working productively and expeditiously toward a resolution and support methods and procedures to accomplish a successful outcome.

Sincerely,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By.   
Henry Walker

hw/c

cc: Director Tate, Tennessee Regulatory Authority

### CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of September, 2004, a copy of the foregoing document was served on the parties of record, via hand-delivery, overnight delivery or U.S. Mail, postage prepaid, addressed as follows:

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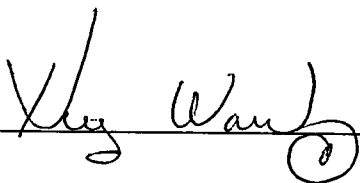
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A handwritten signature, appearing to read "Xing Wang", is written over a horizontal line.